FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.574 OF 2006

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.G.R.Hegde for the Petitioner.

Mr.Sanjay Sinha for the Respondent Nos. 1 to 4.

Mr.Rajesh More, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 18/4/2006.

P.C.

1. Heard both sides.

2. Affidavit filed by the respondent Nos. 1 to 4 dated 17.4.2006 is taken on record.

3. Rule. By consent, rule made returnable forthwith.

4. This is a petition filed by the petitioner wife Achala for quashing Criminal case No.474/M/2003 pending on the file of Metropolitan Magistrate, 10th Court, Andheri, Mumbai. In the said case, process has been issued under Section 498A, 406, 504 and 506 (II) read with 34 of the I.P.C. The offences are not compoundable and the accused are husband, parents in laws and the sister in law of the present

petitioner. It appears from the record that the parties have settled their matrimonial dispute and had filed consent terms in M.J. Petition No.A-1903/2003 filed by the petitioner in the Family Court. By the consent terms the present respondent No.1 has agreed to pay Rs.2/- lacs as permanent maintenance to the petitioner and the parties have agreed to withdraw the allegations made against each other and obtained divorce by mutual consent. Since the wife does not wish to continue with the criminal proceeding and since the same is settled, I am inclined to allow this petition. In the circumstances, rule is made absolute in terms of prayer clause (a). Petition stands disposed off accordingly.

(R. S. MOHITE, J.)